



DT02 Rec'd PCT/PT 17 NOV 2004

PATENT

Customer No. 22,852

Attorney Docket No. 05394.0021

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
GROSJEAN-COURNOYER et al.	)	Group Art Unit: Not assigned
	)	
Application No.: 10/507,416	)	Examiner: Not assigned
	)	
Filed: September 13, 2004	)	
	)	
For: MUTAGENESIS OF	)	Confirmation No.: Not assigned
ASPERGILLUS FUNGI AND	)	
IDENTIFICATION OF GENES	)	
ESSENTIAL FOR GROWTH	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached. The attached documents were cited in the International Search Report in the corresponding PCT application No. PCT/IB03/01374 filed March 13, 2003.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

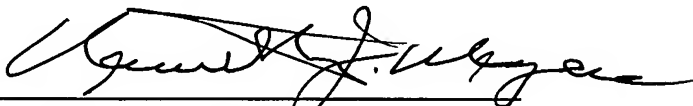
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 17, 2004

By:   
Kenneth J. Meyers  
Reg. No. 25,146



U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>n</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO02/086090 A2	10/31/02	Jiang et al.		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		International Search Report from corresponding PCT application PCT/IB03/01374	
		Jiang et al.; <i>Aspergillus fumigatus</i> essential gene protein #836; Database Accession No. ABJ26178 XP002252046 (October 2002)	
		Harris et al.; Putative ATP-dependent RNA helicase; Database Accession No. Q8NJM2 XP002252029 (June 2002)	
		Firon et al.; Characterization of essential genes by parasexual genetics in the human fungal pathogen <i>Aspergillus fumigatus</i> : Impact of genomic rearrangements associated with electroporation of DNA; <i>Genetics</i> , Vol. 161 (July 2002) pgs. 1077-1087	
		Timberlake, William; Cloning and analysis of fungal genes; <i>More Gene Manipulations in Fungi</i> (1991) pgs. 51-58 (XP002910123)	
		Groll et al.; Emerging targets for the development of novel antifungal therapeutics; <i>Trends in Microbiology</i> , vol. 6(3) (March 1998) pgs. 117-124	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.